

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Otis Lee Tanner,

Plaintiff

v.

Clark County School District, et al.,

Defendants

Case No.: 2:24-cv-01841-JAD-NJK

**Order Granting Unopposed
Motion to Dismiss and Closing
Case**

[ECF No. 8]

The stipulated stay of this action expired on July 11, 2025, and this court entered a minute order¹ giving the plaintiff, Otis Lee Tanner, who is represented by Attorney Carl E.G. Arnold, Esq., until July 28, 2025, to file a response to the defendants' motion to dismiss that was filed back in October.² That deadline passed with no filing by the plaintiff, so this court entered a second order advising the plaintiff in bold that "if no response to the motion to dismiss [ECF No. 8] is filed by August 5, 2025, this court will deem that lack of response as consent to granting the motion and will dismiss and close this case."³ Still, nothing was filed.

Local Rule 7-2(d) provides that "[t]he failure of an opposing party to file points and authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the motion." The court applies this rule and deems the counseled plaintiff's failure to respond to the motion to dismiss as his consent to granting it.

¹ ECF No. 29.

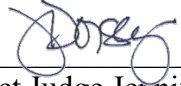
² ECF No. 8.

³ ECF No. 31.

1 IT IS THEREFORE ORDERED that:

- 2 • The defendants' motion to dismiss [ECF No. 8] is **GRANTED**;
- 3 • **THIS CASE IS DISMISSED** in its entirety;
- 4 • **The hearing** on the motion to dismiss scheduled for August 25, 2025, is **VACATED** as
- 5 moot; and
- 6 • The Clerk of Court is directed to **CLOSE THIS CASE**.

7 Dated: August 6, 2025

8 
9 U.S. District Judge Jennifer A. Dorsey